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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,745	01/17/2002	Elad Barkan		2529

7590 12/06/2005  
ELAD BARKAN  
12 HABANIM STREET  
KEFAR SIRKIN,  
ISRAEL

EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/046,745

Applicant(s)

BARKAN ET AL.

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Claims Sheet

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see Pages 1-2, filed 9/25/2005, with respect to the rejection(s) of claim(s) 1-13 under 35 U.S.C. § 102(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S. Patent 5,721,781 to Deo et al.(hereinafter Deo).
2. Applicant's arguments, see Pages 1-2, filed 9/25/2005, with respect to claim(s) 1-8 have been fully considered and are persuasive. The 35 U.S.C. § 112 2 ¶ of claims 1-8 has been withdrawn.
3. In response to the reply for Notice of Non Compliant, the Applicant is encouraged to present Claims on a clean page different from the "Remarks/Arguments" page. And as such, the Examiner as corrected the Claims sheet as to provide for the Applicants an instructive of how Claims are to be customarily presented(see enclosed) for future communications with the Office.
4. The indicated allowability of claim 12 is withdrawn in view of the newly discovered reference(s) to U.S. Patent 5,721,781 to Deo. Rejections based on the newly cited reference(s) follow.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
6. Claims 1-13 are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent 5,721,781 to Deo.
7. Regarding Claim 1, Deo discloses the programming the device with document issuing method that originates with an authority see Col 4 Ln 63- Col 5 Ln 4; programming devices with data identifying the owner of the device that includes encrypting of the data see Col 7 Ln 51-63; reading certificate into the device see Fig.4 item 42; physical identification data of owner based on identifying data see Col 5 Ln 57-Col 6 Ln 14; issuing of document signed by authority where the issuing method is programmed see Col 8 Ln 21-32.
8. Regarding Claim 2, Deo discloses the device having an unique identifier see Col 5 Ln 57-602 & Col 9 Ln 49-53.
9. Regarding Claim 3 and 4, Deo discloses the reading of certificates(multiple application certificate) that use the data disclosed in that certificate to identify the user see Col 10 Ln 2-30 & Col 8 Ln 49-Col 9 Ln 19.

10. Regarding Claim 5, Deo discloses the step of verifying the terminal using certificates see Col 10 Ln 56-67 & Col 8 Ln 11-15 .
11. Regarding Claim 6, Deo discloses the I/O for issuing documents see Fig. 2 item 28 labeled "i/o".
12. Regarding Claim 7, Deo discloses the digital storage means for storing documents see Fig. 2 item 22 & 24.
13. Regarding Claim 8, Deo discloses the document being an certificate see Fig. 4 item 42, 40.
14. Regarding Claim 9, Deo discloses a computer means for processing and memory for implementing program written into it that includes the document issuing method that originates from authority and contains data identifying the owner see Fig. 2 item 20, 22, 24 & Col 8 Ln 24-48; protecting the card from tampering with see Col 7 Ln 46-64; input and output means for sending and receiving information see Fig. 2 item 28 "i/o".
15. Regarding Claim 10, Deo discloses the storing of multiple application certificates see Col 8 Ln 58-67.

16. Regarding Claim 11, Deo discloses the I/O channel for receiving documents and commands and for outputting documents see Fig. 2 item 28 "i/o".

17. Regarding Claim 12 and 13, Deo discloses the wristwatch and smart device see Col 4 Ln 21- 35.

### ***Conclusion***

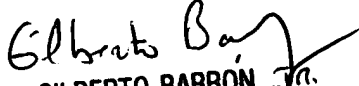
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2132

19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Venkatanarayanan Perungavoor  
Examiner  
Art Unit 2132

vp  
11/28/2005

  
GILBERTO BARRON JR.  
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